



**PLANNING COMMISSION**  
**Meeting Notes of February 15, 2023**

**Commissioners present:** Joel Metlen, Bayley Boggess, Gary Walvatne, Charles Mathews, Scott Erwin, and Tom Watton  
**Commissioners Absent:** John Carr  
**Consultants:** Cathy Corliss, MIG and Kate Rogers, MIG  
**Staff present:** Planning Manager Darren Wyss, Associate Planner John Floyd, City Attorney Bill Monahan, and Administrative Assistant Lynn Schroder

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The meeting video is available on the [City website](#).

**1. Call To Order and Roll Call**

Vice Chair Metlen called the meeting to order at 6:00 pm.

**2. Public Comment Related To Land Use Items Not On The Agenda**

None.

**3. Approval of Meeting Notes: 1.18.23**

Commissioner Walvatne requested changes to the draft minutes. Vice Chair Metlen tabled approval on the minutes to the next meeting so the requested changes could be made to the draft meeting notes before approval.

**4. Work Session: Clear and Objective Standards Compliance Project**

Associate Planner John Floyd presented the draft CDC amendments related to clear and objectives standards. The primary objective of the Code amendments is to make it easier for all parties to understand the rules and requirements for housing and objectively show compliance to the approval authority. The intent of the draft amendments is a content-neutral conversion of existing discretionary standards into clear and objective language. The proposed amendments were reviewed and approved by the CDC working group.

Floyd focused on the definitions, base and overlay zones, and building standards sections of the CDC. The proposed changes to the definitions are primarily intended to clarify. He discussed the difficulty of defining the term “family” and the downstream consequences for how the code differentiates between a single household in a dwelling unit and a group residential (i.e., boarding house). The draft amendments expanded exemptions from Design Review to include all middle housing types, manufactured homes, and ADUs and changed conditional uses to uses permitted under prescribed conditions. He noted that changes to the ADU standards are being considered under a parallel Code Amendment Review (see next agenda item). The proposed changes include that align manufactured housing with site-built dwellings. Off-street parking standards are removed. Side-yard transition standards are clarified. Discretionary standards related to materials, windows, and rood design are also removed. Changes to Chapter 46 and 48 insert references to Public Works design standards and the Transportation System.

Commissioner Boggess asked for clarification on the definition of family.

Commissioner Erwin asked for clarifications about when an ADU would be allowed on a property.

Commissioner Walvatne asked if housing manufactured in pieces and built on-site would also be considered manufactured housing. Cathy Corliss noted that pre-fabricated houses would be treated like site-built houses.

Commissioner Watton noted that container housing had been permitted through the state.

Commissioner Walvatne asked how the side wall transition standards came about. Floyd responded that they came about from a 2-year design standard review effort.

Commissioner Walvatne questioned the 9-bedroom standard for families. He asked for further consideration of family versus group home issue.

Commissioner Watton thought ADUs should have a single utility connection through the primary structure.

#### **5. Work Session: Accessory Dwelling Unit Code Amendment Project**

Tanner Woody commented on the importance of ADUs in the community. He noted that they provide affordable housing, housing options, aging in place, and a source of income for the property owner.

Associate Planner Chris Myers and Assistant Planner Ben Gardner provided the information requested from the previous work session and presented the last four ADU policy questions for discussion.

Myers revisited discussions about the ADU placement related to the primary dwelling. Commissioner Watton wanted to avoid ADUs in front of the houses. Walvatne agreed that ADUs should be subordinate to the primary structure. He supported a 0-foot setback from the front façade of the primary structure. Commissioner Erwin noted that there are no restrictions for garages to be placed forward from the house or other limitations other than the underlying site setbacks. Erwin did not think this restriction passed the clear and objective standard. Planning Manager Wyss noted that this restriction applies only to ADUs. Other housing types, like plexes, would not be required to be placed behind the primary structure. Commissioner Boggess stated that ADUs are important for affordability, aging in place, and equity. She did not support restricting ADU placement on a property because it seemed more of an aesthetic concern. She encouraged Commissioners to view ADU regulation through an equity lens. Commissioner Metlen did not want to create burdens on one type of housing that is not required for other kinds of housing. After additional discussion, PC members agreed to remove code language about the placement of ADUs in relation to the primary dwelling from the Community Development Code.

Myers asked for feedback on regulating the minimum and maximum size of ADUs. Currently, the minimum size allowed for ADUs is 250 square feet and cannot exceed 1000 sq. ft. in size. ADUs cannot exceed 30% of the gross square footage of the primary dwelling. The minimum size requirement encourages larger living spaces. However, no other structures have minimum sizes. Additionally, the minimum size requirements are already addressed in Building Codes. He noted that the minimum size requirement inflates the cost of smaller structures. The maximum size requirement could reduce conflict with other housing types and make structures visually distinct from the primary dwelling. However, the maximum size requirement restricts attainability for older/smaller houses and the variety of possible designs. He noted that there are dimensional limits already in place for zones.

After discussion, Commissioners supported removing the minimum size requirement. They supported removing the 30% requirement. Commissioners wanted a further discussion on the maximum size requirement at the next work session. Commissioner Boggess wanted to staff to present information and recommendations on ADUs from the 2021 Housing Needs Analysis to inform the discussion. Commissioner Watton wanted information on why other jurisdictions' limit ADUs to 800 square feet.

Myers asked if attached ADUs should have a maximum height separate from the height standard already in place for the applicable zone. Currently, attached ADUs cannot exceed the height of the existing primary dwelling. An advantage of the current requirement is that the ADU could be visually distinct from the primary dwelling. However, height requirements are already in place for zones, and no other structures are limited in this manner. Commissioners agreed to remove the height requirement for attached ADUs.

Myers asked if detached ADUs should have a maximum height separate from the height standard already in place for the applicable zone. Currently, detached ADUs are limited to an 18 ft. maximum height. An advantage of the current requirement is that the ADU could be visually distinct from the primary dwelling. However, height requirements are already in place for zones, and no other structures are limited in this manner. Additionally, the requirement could inflate the cost of conversions. Commissioner Watton noted that other jurisdictions have height limits. He supported a maximum height in line with other jurisdictions. Commissioner Walvatne agreed with Watton. He did not want multiple floor ADUs. Commissioners wanted a further discussion on the maximum height requirement for detached ADUs at the next work session

**6. Planning Commission Announcements**

Commissioner Walvatne noted that the Tidings had a really good opinion article on I205 tolling in the 2/25/23 issue prepared by a former ODOT employee.

**7. Staff Announcements**

Planning Manager Wyss reviewed the upcoming Planning Commission schedule.

**8. Adjourn**

Vice Chair Metlen adjourned the meeting at approximately 8:30 pm.